



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 6271-98

9 December 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 6 October 1999.. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. The Board also considered an advisory opinion from a representative of the Bureau of Medicine and Surgery, dated 26 July 1999, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Marine Corps on 18 June 1991 at age 18. A psychiatric evaluation, conducted on 10 November 1992, found that you had a personality disorder. The psychiatrist noted that you had been suicidal in the past but did not have any symptoms at the time of the evaluation. Subsequently, on 8 February 1993 you received an honorable discharge by reason of "Condition Not a Physical Disability, Personality Disorder." At that time you were assigned a reenlistment code of RE-4.

In your application, you requested changes in the reenlistment code and reason for discharge. You have submitted evidence from a psychiatrist to the effect that you do not have a personality disorder and are essentially normal.

As indicated in the enclosure, the Board obtained a psychiatric advisory opinion. The Navy psychiatrist could not conclude that

the diagnosis of personality disorder was erroneous, and noted that you did not do well in a Marine Corps environment. He recommended that both of your requests be denied.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure

MEMORANDUM

Date: 26 JUL 99
From: [REDACTED] CDR, MC, USNR
To: Board for the Correction of Naval Records
Subj: APPLICATION FOR CORRECTION OF NAVAL RECORDS ICO FORMER [REDACTED]

Ref: (a) Chairman, BCNR, ltr JDH, Docket # 6271-98, dtd 08 JUL 99

Encl: (1) BCNR File
(2) Service Record
(3) Medical Record
(4) Civilian Psychiatric Record

1. Per your verbal request and in accordance with ref (a), I have reviewed enclosures (1) through (4).

2. Review of service record indicates that [REDACTED] was at best, a lackluster performer who needed frequent supervision, and didn't do well with authority, according to narratives. I was unable to find numerical rankings.

3. Review of the medical record is limited to a psychiatric evaluation by a Naval Psychiatrist. This refers much of the history to another evaluation that has not been included in the record. The bottom line was that the servicemember had a great deal of trouble adjusting to the military for whatever reasons.

4. Review of the civilian record reveals that [REDACTED] had one psychiatric admission at age 15 for depression and was discharged on medication. This information was apparently known at the time of enlistment. Since his discharge he has had one psychiatric evaluation at the VA. This indicated that there was no active psychiatric diagnosis.

5. Review of the BCNR record shows that servicemember is requesting an upgrade in discharge RE code so that he may re-enlist.

6. I have only a few comments. I believe that [REDACTED] did indeed suffer from some psychological problem. Whether this was truly depression, attention deficit disorder, a personality disorder, or just plain immaturity I can't really say from the record. It is absolutely clear however that he did not do well in the marine environment. It is also evident that he is doing well currently.

I think it is commendable that [REDACTED] wants to get back in the military, and has put his life on a straight course. Unfortunately, history does tend to repeat itself, and the best predictor for future psychopathology is past history. I recommend that his request be denied.

Respectfully Submitted,



Victor Stiebel
CDR MC USNR-R
Staff Psychiatrist